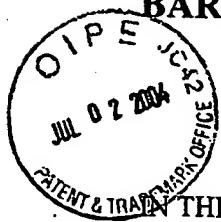


PT 3764

BARNES & THORNBURG



11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(317) 231-7433 Fax

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3764

Confirmation No.: 3375

Application No.: 09/857,307

Invention: **Method for Vocal Cord Reconstruction**

Applicant: Stephen F. Badylak, et al.

Filed: May 31, 2001

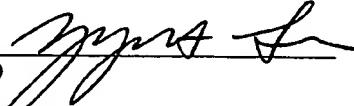
Attorney Docket: 3220-68450

Examiner: Fenn C. Mathew

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

on June 29, 2004


(Signature)

Yung-Hui Lee

(Printed Name)

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on March 24, 2004, Applicants request consideration of the accompanying remarks. Applicants hereby petition for a one-month extension of time under 37 C.F.R. § 1.136(a). Our check in the amount of \$110.00 for a one-month extension of time is enclosed. Applicants believe that no other fees are required with this response. If any other fees are required, the Commissioner is hereby authorized to charge the same to the deposit account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to our matter 3220-68450.

07/22/2004 STHOMAS 00000002 100435 09857307

01 FC:1201

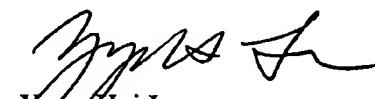
258.00 DA

Accordingly, Vacanti et al. cannot anticipate claim 14 because a required step in the Applicants' claimed method is "replacing the removed portion of tissue with an acellular graft construct" and Vacanti et al. does not teach or disclose this required step. Withdrawal of the rejection of claim 14 under 35 U.S.C. § 102(b) over Vacanti et al. is respectfully requested.

CONCLUSION

The foregoing remarks are believed to fully respond to the Examiner's rejection. The claims are in condition for allowance. Applicants respectfully request allowance of the claims and passage of the application to issuance.

Respectfully submitted,



Yung Hui Lee
Registration No. 50,475
Patent Agent for Applicants

YHL
663288_1.DOC
(317) 231-3073